

EL SALVADOR

The spectre of death squads

INTRODUCTION

The spectre of death squads has come back to the fore of public life in El Salvador with the recent appearance of clandestine groups such as the *Fuerza Nacionalista Mayor Roberto D'Aubuisson* (FURODA), Nationalist Force Major Roberto D'Aubuisson. Their attacks, including death threats against public figures, media people and religious leaders among others have caused growing concern and outrage at national and international level.

Death squads and paramilitary groups were responsible for the systematic secret murder, torture and "disappearance" of suspected government opponents during the 1980s and early 1990s and benefitted from total impunity. There was the hope that they would be held accountable and cease to exist as a result of the 1992 Peace Accords and corresponding commitments by the Salvadorean authorities and support of the international community to improve the human rights situation. There was, in fact, a gleam of hope after the end of the war when there was a significant decrease in the number of serious human rights violations, particularly "disappearances". But death threats by clandestine groups against political and other activists persisted, and sporadic killings and attempted assassinations bearing the hallmarks of death squads were carried out after the signing of the accords.

Amnesty International believes that the threat of a return of death squads in El Salvador will only be removed when a special investigation into their activities - both past and present - is carried out, and all those found responsible are brought to justice.

BACKGROUND

The Chapultepec Accords, signed on 16 January 1992, ended 12 years of armed conflict between the government and the *Frente Farabundo Martí para la Liberación Nacional* (FMLN), a non-governmental entity. The Truth Commission set up as a result of the Accords carried out investigations into past human rights abuses; in its report published in March 1993 concluded, among other things, that death squads linked to state structures had become "an instrument of terror responsible for the systematic physical elimination of political opponents". It recommended a thorough and immediate investigation into death squads, since it perceived these groups as still posing a threat to society.

In 1993 there was a resurgence of violence; several leaders of the FMLN and *Alianza Republicana Nacional*, ARENA, Alliance of National Renovation, were killed by groups acting like death squads. These events led to the creation of the *Grupo Conjunto para la Investigación de Grupos Armados Ilegales con Motivación Política en El Salvador*, Joint Group to Investigate Politically Motivated Illegal Armed Groups (the Joint Group). The Group was set up in December 1993 and published its results in July 1994. Analysing cases and patterns of apparent political killings and threats since 1992, the report concluded that organized groups carrying out political violence continued to operate, although their relation to state structures was less evident than in the past. Political violence appeared to have meshed with the structures of organized crime, making it difficult to ascertain motives in specific cases. Nevertheless, it found evidence to suggest that many of the killings, attacks and threats reported since 1992 were politically motivated, and pointed to the absence of an official investigation in almost all cases. The *Grupo Conjunto* called for investigative and preventive measures including the strengthening

of El Salvador's judicial system, and the setting up of a special unit within the *Policía Nacional Civil*, PNC, National Civil Police, to follow up the kinds of cases of political violence it had examined. President Armando Calderón Sol, who also received from the *Grupo Conjunto* a confidential appendix naming suspected perpetrators, promised to investigate all charges backed up with sufficient evidence. However, the report was vehemently criticised as inconclusive and confusing by the Defence Minister, echoing the military's reaction to the Truth Commission report in 1993. Little progress, if any, has been made to follow up the Grupo Conjunto's findings.

The United Nations Secretary General Boutros Boutros Ghali in his report on El Salvador, covering the period between 1 May to 20 July 1996, noted that the situation in the country in the area of public security continued to be a matter of concern. He mentions the communiqués of clandestine groups, containing death threats with political implications and expresses concern that a repetition of such incidents would imply a backward move in the peace process. He reiterates his call to intensify the efforts to implement the recommendations made by the *Grupo Conjunto* investigate illegal, armed groups with political motivations, as this would prevent the repetition of acts of violence and to bring those responsible to trial, as necessary.

The government has the obligation to investigate all crimes perpetrated including by illegal groups and bring the perpetrators to justice. Amnesty International believes that the Salvadorean authorities have so far failed to fulfil this obligation.

NEW DEATH SQUADS

Ž **Fuerza Nacionalista Mayor Roberto D'Aubuisson (FURODA)**

On 26 June 1996 a group calling itself *Fuerza Nacionalista Mayor Roberto D'Aubuisson* appeared in the Salvadorean public scene. Roberto D'Aubuisson founded the right-wing ARENA in 1981. On the purported premises of nationalism and freedom its aim at that time was to rid the country of the forces grouped in the FMLN. Both ARENA and Major D'Aubuisson have been accused of active participation in the activities of the death squads responsible for the death of thousands of Salvadoreans, including the assassination of the Archbishop of San Salvador Oscar Romero in March 1980. Roberto D'Aubuisson died of cancer in 1992.

In their first public statement, issued on 26 June 1996, FURODA threatened the following people:

Monsignor Gregorio Rosa Chávez, Auxiliary Bishop of San Salvador
Medardo Gómez, Lutheran Bishop
Victoria Marina Velásquez de Avilés, National Human Rights Procurator
Rodolfo Cardenal, Vice Rector of Social Planning, Centroamerican University
Edgar Palacios, Coordinator of the Permanent Commission for National Debate
Francisco Elías Valencia, editor of *Diario Latino*
Jorge Zedán, television station proprietor
Mauricio Funes, newspaper director
Roberto Castañeda, radio station proprietor
Facundo Guardo, opposition politician (FMNL leader)
Gerson Martínez, opposition politician (FMNL deputy)

Kirio Waldo Salgado, opposition politician
Francisco Roberto Lima, lawyer and opposition politician
Ricardo Navarro, director of environmental organization
Carlos Avilés, narcotics expert.

The statement referred to them as “worms” (*gusanos*) and warned: “Your days are numbered” (*sus días están contados*). Many of them have been involved in human rights work and have publicly expressed their commitment to human rights and democracy.

The group’s threats say, among other things: “We want to tell you that from this moment on we have prepared the conditions to punish in an exemplary way all those who attempt to abort the democratic process in El Salvador. Therefore, [those named above] are now considered as targets of the Fuerza Nacionalista ‘Roberto D’Aubuisson’”. It goes on to say that their [those listed] “days are numbered and they will receive a just payment for defending the terrorists who, from the University of El Salvador, continue acting as instruments to destabilize El Salvador”.¹

In a second public statement on 4 July 1996 they proffered further insults and threats and warned “... those political pigs on the list from our first communication that they won’t make it to the next elections”, “... we are making a demonstration of force, professionally conducted to avoid damages to their innocent family members or to third parties that have nothing to do with their wickedness. Then and only then, they will know the capacity of our forces...”²

On 26 July 1996, a new threat was issued by FURODA during a meeting of the São Paulo Forum, an international meeting of left wing parties, which was taking place in San Salvador. The statement warned the media “to report the truth and not to distort it”³.

Ž “SOMBRA NEGRA”

Sombra Negra (Black Shadow) appeared in December 1994 in Milagro de la Paz, San Miguel, purportedly to combat crime and act as a social clean-up squad. Although the exact origin and membership of the group are unknown, Amnesty International suspects that members included former soldiers with some tacit support from the PNC. By April 1995, 17 people had been murdered by the group,

"Queremos decirles, que desde este momento hemos preparado condiciones para dar un escarmiento ejemplar a los que pretenden hacer abortar el proceso democrático salvadoreño. Por tanto pasan a ser considerados como objetivos de la Fuerza Nacionalista ‘Roberto D’Aubuisson’”
“Sus días están contados y recibirán un justo pago por estar defendiendo a los terroristas que, desde la Universidad de El Salvador (UES) siguen siendo instrumento para desestabilizar el Salvador”.

²“A los cerdos politiqueros de la lista de nuestro comunicado n° 1, que no llegarán a las próximas elecciones”...“Que haremos una demostración de fuerza, profesionalmente conducida para evitar daños a sus familiares inocentes o a terceras personas que nada tienen que ver con sus infamias. Entonces y sólo entonces conocerán la capacidad demaniobra de nuestras fuerzas...”

³“Que informe la verdad y no la distorsione”

allegedly all of them criminals. The group justified its actions claiming that “the laws of the country were not working”, that “the PNC did not have sufficient resources to combat crime” and that “too many crimes were committed in El Salvador daily”. All its victims had been extrajudicially executed with shots in the back of the head using weapons such as assault rifles and machine guns.

In May 1995 the group issued death threats against six judges it qualified as “corrupt”. Sixteen alleged members of the group were arrested on 21 July 1995 on charges ranging from homicide to criminal association. Public prosecutors involved in the case reported to have received death threats and that their hotel had been sprayed with bullets.

Amnesty International is seriously concerned that no one has been brought to justice for these crimes which appear to have been carried out with the authorities acquiescence.

Other death squads and armed illegal groups whose existence has been reported in the media include the *Organización Maximiliano Hernández Martínez contra el Crimen* Organization Maximiliano Hernández Martínez Against Crime (also operates as Domingo Monterrosa and White Warrior Union), the *Movimiento Pueblo Unido Contra la Delincuencia (PUCD)*, Peoples Movement United Against Crime, and the *Comando Ejecutivo Antidelincuencial Transitorio*, CEAT (Transitional Executive Anti-crime Command).

SOME ILLUSTRATIVE CASES

‘ Francisco Velis Castellanos, politician

Francisco Velis was a member of the *Consejo Nacional* (National Council) *del Frente Farabundo Martí*, the former armed opposition group which became a political party in 1993 as a result of the 1992 Peace Accords. He was standing as an FMLN candidate for deputy to the National Assembly in the presidential and legislative elections to be held in March 1994.

At 7. 40 am on 25 October 1993, as he was taking his one-year-old daughter to a creche in the capital, San Salvador, two unidentified men in civilian clothes approached and shot him in the head and neck at close range. Passers by claimed that there were several vehicles in the area where the shooting took place, which appeared to have been a carefully organised operation. The assailants were able to flee, despite the presence of a PNC patrol in the vicinity.

His wife, in a press interview, said that for the two months previous to the murder the family had been subjected to a series of worrisome incidents, including telephone interference, claiming that the situation had become unbearable during the last month before his murder. They “would hear noises at night, especially the night before he was killed”, she said.

His killing increased Amnesty International’s concern for the safety of members of opposition parties in the run up to the March 1994 elections. It was one in a series of murders of members of the FMLN and its electoral ally, the *Convergencia Democrática* (Democratic Convergence).

In September 1995 Carlos Romero Alfaro, *alias* “Zaldaña”, a former police officer, was arrested in Houston, Texas, USA, and extradited to El Salvador in March 1996. He had deserted the PNC in March 1995 when a warrant for his arrest was issued for his involvement in the murder of Francisco Velis. He claims to be totally innocent and that a case has been fabricated against him by a disgruntled prisoner whose case he investigated when he was working at the *División de Investigación Criminal*, DIC (Division of Criminal Investigations) of the PNC. In late August the Supreme Court of Justice ruled confirming the validity of his preventive detention, which he had challenged in a habeas corpus petition. The Court said that “although preventive detention should not be the general rule”⁴ in this case his release could alter the investigation of the murder, which was carried out by a group. This ruling was sent to the Criminal Court in charge of the case; there were reports that a jury could be assembled to hear the case probably in two months time ie at the end of October. This has not happened yet

Another suspect, Gonzalo Flores Guardado, was arrested in March 1996 at the *Brigada Especial de Seguridad Militar (BESM) de la Fuerza Armada*, Special Brigade for Military Security of the Armed Forces in El Salvador, to which he belonged. According to the judge in the case, there is strong witness evidence implicating Flores in the murder. On 27 June the Attorney General’s Office rejected a petition to withdraw an order for the arrest of Ramón Arístides Díaz Ramos, also implicated in the murder of Francisco Velis, who is at large in the USA. According to the Director of the PNC, Rodrigo Avila, there may be more people involved in the assassination of Francisco Velis.

In June 1996 the Attorney General’s Office denounced that certain evidence in the case against Romero had been lost. The evidence was a photograph of Romero used in his identification by the main witness. Then on 22 August there was an attempt to kidnap the main witness, identified as “Julio”. Several men in a vehicle with darkened windows tried to get him into it but “Julio” managed to escape. The men shot at him but he went into a house and managed to call the office of the Attorney General to report the incident. He was taken from the house under the protection of agents of the DIC of the PNC. He had previously suffered another attack just after he had testified before the court in Sonsonate.

While welcoming investigations into the killing, Amnesty International is concerned that nearly three years after the event, the assassination of Francisco Velis remains unresolved and unpunished and it may be some time before proceedings get under way and come to a final conclusion. Also, the incident in June and the attempts against the main witness give cause for concern about the future of the judicial proceedings in the case.

‘ **Death of three minors**

In April 1996 **José Fidel Córdova** (16), **Jairo Jonathan Hernández Cornejo** (15) and **Carlos Wilfredo Hernández Cornejo** (18) were found dead in the village of Agua Caliente, Platanillo, Department of Quezaltepeque. Two of them had been hanged (by the neck) from a tree, with their hands behind their backs and their thumbs tied up; the third had had his skull smashed apparently with an axe.

⁴ “Si bien la prisión preventiva no debe ser la regla general”

According to reports the victims, their father and a brother were at home when at around 9.00 pm six men dressed in black uniforms and with their faces covered, burst into the place. They were carrying M-16 rifles and grenades. They took all those present into the corridor; tied their hands, and thumbs, behind their backs and threw them on the floor. (The practice of restraining prisoners by tying their thumbs in the back was widely used by the army and paramilitary groups during the civil war in El Salvador). The assailants hit them with sticks and stole money and objects from the house. They asked José Fidel about a rifle; he said he knew nothing about it. They continued hitting him with the side of an axe until he was dead. They took the others and after robbing other houses and terrorizing their inhabitants, took Jairo and Carlos to a tree in the vicinity and hanged them both from a branch, arms behind, thumbs tied up.

The President of the Justice and Human Rights Commission of the Legislative Assembly, Martha Valladares, said that the killings reflected the actions of the death squads. "Hooded men appear, carrying rifles, grenades, they are illegal armed groups ... and this creates a situation of instability"⁵.

The Catholic Church also expressed its concern about the killings. Monsignor Fernando Saenz Lacalle, Archbishop of San Salvador, was reported in the press saying "No one can take revenge into their own hands, even less if to attempt against the life of innocent people; the Church considers this to be an offence".

No one has been brought to justice in this case so far.

' Centro para la Promoción de los Derechos Humanos "Madeleine Lagadec" (Madeleine Lagadec Human Rights Centre)

The Centre was founded in El Salvador in 1992 with the aim of documenting cases for the Truth Commission. The organization continued its work afterwards to call for the implementation of the recommendations of the Commission and cease continuing impunity; it has concentrated on promotion and education on human rights and supporting relatives of the "disappeared". Recently it has been promoting civil rights and opposing the reintroduction of the death penalty.

On 8 October 1996, Eliezar Ambelis, a staff member, escaped abduction by two unidentified masked men who attempted to kidnap him on the road from Santa Clara to the community of El Rosario, department of San Vicente.

The two men reportedly grabbed Eliezar Ambelis in the middle of the road and tried to blindfold him and bundle him into a car, but he managed to escape and run away through a field. The men reportedly shot at Eliezar Ambelis as he was running away. He was not hurt. An hour later the Madeleine Lagadec Human Rights Centre in San Salvador received a threatening phone call, in which the caller said "I want you to know that your office has to disappear. Be careful. The man in Santa Clara is already ours.

⁵ "Aparecen unos individuos con capuchas, con fusiles, con granadas, son grupos ilegales armados...y genera una situación de inestabilidad"

Pray for him."⁶. It is believed that the caller was not aware that Eliezar Ambelis had managed to escape from his captors.

Eliezar Ambelis has been working on the promotion of voting rights with a number of rural communities. He had received a previous death threat on 27 September 1996, which warned him against continuing this work: "we don't like you fucking about with your talks in the communities... Don't get involved in other people's business... we have tolerated you up to now... Be careful, you big asshole... leave your work, it only brings you danger"⁷.

Also on 8 October, in the evening, unidentified persons left a written death threat outside the Santa Clara office of the Madeleine Lagadec Human Rights Centre. The note read: "Be careful. Your day is getting near." ("*...cuídense, pues ya luego llegará el día de ustedes.*")

The Centre's offices in Santa Ana were broken into on 12 October 1996 and office materials taken, as well as files containing human rights cases and materials to promote civil rights among the rural population.

On 13 August 1996, workers at the Madeleine Lagadec Human Rights Centre office in San Salvador had found an anonymous note stating that they would be burgled and that they should prepare themselves as they were going to be killed ("*...así que prepárense porque les vamos a matar*").

Although no group has claimed responsibility for these threats, Amnesty International fears that they may be the work of clandestine armed groups.

CONCLUSIONS

The continued existence of death squads, either in their old or new manifestations, undermines the moves towards a truly free and democratic system taking place in El Salvador since the end of the war. It is also a source of continuing insecurity and fear for a population that has suffered years of extremely grave violations to their human rights.

Amnesty International believes that the authorities of El Salvador must take immediate measures to put into practice the recommendations of the *Grupo Conjunto* to stop the activities of illegal, armed groups with political motivation and bring all those responsible to justice.

⁶ "Quiero que sepan que esa oficina tiene que desaparecer, tengan cuidado. El que está en Santa Clara ya está en nuestro poder. Recen por él"

⁷ "No nos gusta que estés jodiendo con esas tus charlas en las comunidades...No te metás en lo que no te importa...hasta hoy te soortamos...Tené mucho cuidado gran pendejo...Deja el trabajo que sólo te trae peligro".

WHAT YOU CAN DO

Please write to the authorities whose names are given below.

- ' Welcome the changes that have taken place in El Salvador towards improving the human rights situation in the country after the end of the war;
- ' Urge that the process of change continues in order to bring El Salvador to a situation of full respect of human rights;
- ' Express serious concern for the continued existence of death squads in El Salvador and their activities;
- ' Call on the authorities to take immediate measures to put into practice the recommendations of the *Grupo Conjunto* with regard to illegal, armed groups with political motivations.
- ' Urge the authorities to take immediate and effective measures to protect those threatened by these groups, including full investigations of such threats, so that those responsible are brought to justice

S.E. Dr Armando Calderón Sol
Presidente de la República
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